

ORDINANCE NO. _____

**AUTHORIZING CLOSURE OF A PORTION OF 4TH STREET IN CUSTER, WASHINGTON,
RELATED TO COVID-19 ECONOMIC RELIEF**

WHEREAS, the Governor has issued many emergency proclamations and mandates to stop the spread of the COVID-19 virus; and

WHEREAS, the County Executive has issued a Proclamation of Emergency to stop the spread of the COVID-19 virus; and

WHEREAS, these mandates have effectively closed many businesses, while not defined as essential, are essential to the families they support; and

WHEREAS, restaurants, bars, and taverns have been able to serve customers as long as they can provide outdoor seating; and

WHEREAS, some restaurants are not able to accommodate the outdoor space needed without using the public right of way or public road; and

WHEREAS, Whatcom County's financial resources are limited; and

WHEREAS, business assistance can come in the form of non-monetary solutions; and

WHEREAS, Chapter 12.06.010 of the Whatcom County Code, by referring to Chapter 46.44.080 of the Revised Code of Washington, requires that each temporary road closure or restriction be authorized by the County Council through ordinance; and

WHEREAS, the Whatcom County Council is authorized to close the road according to the provisions of RCW 36.32.120 Section 2; and

WHEREAS, Tony's Tavern in Custer, Washington, has requested the County temporarily close a section of road in order to facilitate their ability to run their multigenerational family owned business; and

WHEREAS, Tony's Tavern will set up weather appropriate outdoor seating in the section of roadway being closed to operate their business.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Public Works Department is hereby directed, subject to further consideration for re-establishing access for adjoining property owners and the public, to close the section of 4th Street that is adjacent to Tony's Tavern with the southern boundary being the intersection of 4th and Main and extending to the end of Tony's Tavern's property line as the northern boundary or less.

BE IT FURTHER ORDAINED that the duration of closure will conclude one week (seven days) after the last state or local mandate has been lifted that limits Tony's business to less than 100 percent capacity for indoor services.

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BE IT FURTHER ORDAINED that as a condition of road closure, Tony’s Tavern will install proper signs and barriers approved by Whatcom County Public Works at the approved locations, allowing pedestrian and non-motorized vehicles access along said portions of closed roads.

BE IT FINALLY ORDAINED that, if available, signage and barriers may be provided by Whatcom County Public Works at no cost.

ADOPTED this ____ day of _____, 2021.

ATTEST: **WHATCOM COUNTY COUNCIL**
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM: **WHATCOM COUNTY EXECUTIVE**
WHATCOM COUNTY, WASHINGTON

Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____